

News Release

Pacific Southwest Region

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Service Releases Draft Environmental Assessment on Application for Eagle Permit for Shiloh IV Wind Energy Project in Northern California

Sacramento –The U.S. Fish and Wildlife Service (Service) today released a Draft Environmental Assessment (DEA) in response to a request by Shiloh IV Wind Project, LLC (Shiloh IV), an affiliate of EDF Renewable Development, for a programmatic eagle permit for its Shiloh IV, located on private land in Solano County, California, near the town of Rio Vista.

Under the preferred alternative in the assessment, the company would be permitted to take a maximum of five golden eagles over a five-year-period but would be required to take steps to protect eagles from power lines and turbines, including retrofitting 133 power poles in the first year to prevent electrocutions of birds, as well as other actions if necessary to reduce mortality.

The Service believes that if these steps were taken, the wind project would have no significant impact on eagle populations in the area, while reducing the emission of greenhouse gases and helping California meet its goals of 33 percent of its energy from renewable energy.

The agency will publish a notice of availability of the DEA in tomorrow's *Federal Register*, opening a 45-day public comment period.

The DEA evaluates and describes the project, the permit application and the authorities under which the Service is acting on the application. It also details the current status of golden eagles within 140 miles in and around the project and considers four permitting alternatives, including an alternative of not issuing a permit. The DEA assesses the associated environmental impacts of each alternative and describes avoidance and minimization criteria as well as compensatory mitigation commitments agreed to by the applicant. The Service uses this information to determine if issuance of a programmatic eagle permit for a project is compatible and consistent with the eagle preservation standard under the federal Bald and Golden Eagle Protection Act (Eagle Act).

Shiloh IV is an operational project that partially repowered an existing wind turbine site. The 102-megawatt project consists of 50 wind turbines within an area of approximately 3,500 acres. In its permit application, EDF Renewable Energy provided an Eagle Conservation Plan (ECP) that describes measures the company will implement to avoid, minimize and mitigate the project's impacts to eagles. The ECP was prepared in coordination with the Service, using eagle conservation guidelines developed for the wind energy industry. The company also provided a strategy to conserve bats and other migratory birds that is included at Appendix B in the DEA. Depending on which permitting alternative is approved, the eagle permit would authorize the lawful take of up to four or five eagles during a five-year permit period.

Under the Eagle Act, the Service can issue eagle permits to entities whose activities may result in "take" of eagles that is unintentional and incidental to otherwise lawful activities. "Take" means to pursue, shoot, poison, wound, kill, capture, trap, collect, destroy, molest or disturb eagles, their nests or their eggs. Wind energy companies are not required to have an eagle permit. However, companies operating without an eagle permit risk federal penalties, including criminal prosecution, under the Eagle Act for any unauthorized take of eagles.

Before being issued an eagle permit, the company must demonstrate that it is implementing measures to avoid, minimize, rectify, reduce or eliminate, and mitigate threats to eagles during the life of the project. The Service must determine that any unavoidable take is compatible with the preservation of eagles. The limited data available for golden eagle populations indicate that any increase in authorized take should be offset (for example by preventing eagle deaths elsewhere or by creating eagle breeding habitat) in order to be compatible with maintaining stable breeding populations.

With publication of the DEA, the Service is opening a 45-day comment period to allow interested parties to weigh in on the draft environmental assessment. The Service will accept comments until November 11, 2013. The full text of the DEA is available at: <http://www.fws.gov/cno/conservation/migratorybirds.html>.

You may submit comments or requests for copies or more information by one of the following methods:

Email: ShilohIV_comments@fws.gov.

U.S. Mail or hand delivery: Heather Beeler, Migratory Bird Program, U.S. Fish and Wildlife Service, Pacific Southwest Region, 2800 Cottage Way, W-2605, Sacramento, CA 95825.

Fax: Heather Beeler, Migratory Bird Program, 916-414-6486, Attn: Shiloh IV Wind Project DEA Comments.

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